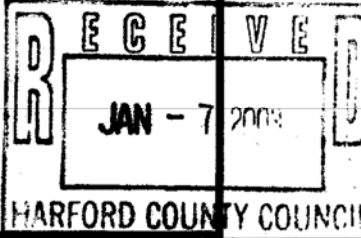


## STANDARD APPLICATION

# Harford County Board of Appeals

Bel Air, Maryland 21014

Case No. 5322Date Filed 1/03/03

Hearing Date \_\_\_\_\_

Receipt \_\_\_\_\_

Fee \$400

Shaded Areas for Office Use Only

## Type of Application

Nature of Request and Section(s) of Code \_\_\_\_\_

☒ Administrative Decision/Interpretation☐ Special Exception☐ Use Variance☐ Change/Extension of Non-Conforming Use☐ Minor Area Variance☐ Area Variance☐ Variance from Requirements of the Code☐ Zoning Map/Drafting Correction

CASE 5322 MAP 19 TYPE Interpretation

ELECTION DISTRICT 5 LOCATION 3502 Day Road, Darlington, Md. 21034

BY Ira E. Woods

Appealed because an interpretation pursuant to Section 267-9D of the Harford County Code that the subject property has a non-conforming use status as to the second dwelling on the property in an Agricultural District requires approval by the Board

**NOTE:** A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

## Applicant/Owner (please print or type)

Name Ira E. Woods

Phone Number \_\_\_\_\_

Address 3502 Day RoadDarlingtonMaryland21034

Street Number

Street

City

State

Zip Code

Co-Applicant N/A

Phone Number \_\_\_\_\_

Address \_\_\_\_\_

Street Number

Street

City

State

Zip Code

Contract Purchaser N/A

Phone Number \_\_\_\_\_

Address \_\_\_\_\_

Street Number

Street

City

State

Zip Code

Robert S. Lynch, Esquire  
Attorney/Representative Stark and Keenan, P.A.

Phone Number 410-879-2222Address 30 Office StreetBel AirMaryland21014

Street Number

Street

City

State

Zip Code

Hearing: 3/3/03

Rev. 12/00

## Land Description

Address and Location of Property 3502 Day Road  
Darlington, Maryland 21034

Subdivision N/A Lot Number N/A

Acreage/Lot Size 1.3 acres Election District 5th Zoning AG

Tax Map No. 19 Grid No. 1D Parcel 292 Water/Sewer: Private XX Public

List ALL structures on property and current use: Residential use; 2 separate dwelling units

Estimated time required to present case: 1 hour

If this Appeal is in reference to a Building Permit, state number No

Would approval of this petition violate the covenants and restrictions for your property? No

Is this property located within the County's Chesapeake Bay Critical Area? Yes  No XX

If so, what is the Critical Area Land Use designations: N/A

Is this request the result of a zoning enforcement investigation? Yes XX No

Is this request within one (1) mile of any incorporated town limits? Yes  No XX

## Request

See Attached.

## Justification

See Attached.

*If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)*

**HARFORD COUNTY BOARD OF APPEALS**  
**APPLICANT - IRA E. WOODS**

**REQUEST**

An Interpretation pursuant to Section 267-9(D) of the Harford County Code that the subject property has a non-conforming use status as to the second dwelling on the Property.

**JUSTIFICATION**

The Applicant purchased the subject Property on July 11, 1963 and has lived on the Property consistently for over thirty-nine (39) years. At the time Mr. Woods acquired the Property, it had two separate dwellings, which were built prior to 1957. On May30, 2002, the Department of Planning and Zoning issued a letter of zoning violations to the Applicant, noting there were untagged and/or inoperative motor vehicles, boats, trash and solid waste on the Property. These items belonged to the Applicant's son and all the materials were removed and brought into compliance with the Zoning Code.

On a subsequent follow up visit, the Zoning Inspector noted that one of the existing residential dwellings had been replaced with a modular home and since a permit was not secured, the Department of Planning Zoning maintains that any non-conforming use that may have existed has been lost and one of the existing dwellings must be removed. The Applicant maintains that the non-conforming use was never abandoned and the residential use of the Property for two dwellings has been continuous for over forty-five (45) years.

